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Attorneys for Plaintiff,  
 CHRISTY RUDDER

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

FILED  
 11 JUN -9 PM 2:33  
 CLERK U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
 LOS ANGELES

CHRISTY RUDDER,

Plaintiff,

vs.

BEVERLY HILLS FARM, INC, dba THE  
 FARM OF BEVERLY HILLS; LA  
 LIVE PROPERTIES, LLC; and DOES 1  
 through 10, Inclusive,

Defendants.

) Case No. **SA CV 11-00862 JVS (PNB)**  
 ) **Civil Rights**  
 )  
 ) **COMPLAINT FOR INJUNCTIVE**  
 ) **RELIEF AND DAMAGES: FOR**  
 ) **DISABILITY DISCRIMINATION IN**  
 ) **VIOLATION OF TITLE III OF THE**  
 ) **AMERICANS WITH DISABILITIES**  
 ) **ACT AND CALIFORNIA'S CIVIL**  
 ) **RIGHTS STATUTES (Health & Safety**  
 ) **Code § 19955 et seq. and Civil Code**  
 ) **§ 51,)**  
 ) **DEMAND FOR JURY TRIAL**  
 )

///

///

///

1 Plaintiff CHRISTY RUDDER complains of Defendants BEVERY HILLS  
2 FARM, INC, dba THE FARM OF BEVERLY HILLS; LA LIVE PROPERTIES,  
3 LLC; and DOES 1 through 10, Inclusive, and alleges as follows:

4  
5 **INTRODUCTION:**

6 1. Over twenty years ago, President Bush signed the Americans with  
7 Disabilities Act (“ADA”), establishing the most important civil rights law for persons  
8 with disabilities in our country’s history. One of the principal goals of the ADA is the  
9 integration of people with disabilities into the country’s economic and social life. 42  
10 U.S.C. § 12101(a) Despite this long-standing mandate, Defendants -- the owners,  
11 operators, lessors and lessees of The Farm of Beverly Hills in Los Angeles,  
12 California -- have failed to provide disabled persons with full and equal access to  
13 their goods and services in violation of the ADA by constructing and/or failing to  
14 remove architectural barriers that prevent persons who use wheelchairs from being  
15 able to use and enjoy their facilities in a full and equal manner as able-bodied  
16 persons. In so doing, Defendants have also violated California civil rights laws  
17 including Health and Safety Code §19955 *et seq.*; and the Unruh Civil Rights Act  
18 (“Unruh Act”), Cal. Civ. Code § 51 *et seq.*

19 2. As a result of Defendants’ discriminatory acts and omissions, Plaintiff  
20 has suffered, and will continue to suffer, damages, and has been, and will continue to  
21 be prevented and/or deterred from accessing and using Defendants’ goods, services  
22 and facilities to the same extent as, and in a manner equal to, her able-bodied peers.  
23 Through this lawsuit, Plaintiff seeks compensation for her injuries and an injunction  
24 requiring Defendants to provide “full and equal” access to their public facilities for  
25 disabled persons as required by law.

26 **JURISDICTION AND VENUE:**

27 3. This Court has jurisdiction over this action pursuant to 28 U.S.C. §1331  
28

1 for violations of the ADA, 42 U.S.C. 12101 *et seq.* Pursuant to supplemental  
2 jurisdiction, attendant and related causes of action, arising from the same facts, are  
3 also brought under California law, including but not limited to violations of  
4 California Health & Safety Code §19955 *et seq.*; and the Unruh Act, Cal. Civ. Code §  
5 51 *et seq.*

6 4. Venue is proper in this court pursuant to 28 U.S.C. §1391(b) and is  
7 founded on the fact that the real property which is the subject of this action is located  
8 in the Central District and that Plaintiff's causes of action arose in the Central  
9 District.

10 **PARTIES:**

11 5. Plaintiff CHRISTY RUDDER ("Plaintiff") is, and at all times relevant  
12 herein was, a qualified individual with a physical "disability" as defined under  
13 Department of Justice regulation 28 CFR § 36.104 and California Government Code  
14 § 12926. Plaintiff is unable to independently stand or walk, and has limited range of  
15 motion in her arms as the result of injuries sustained in car accidents, and requires the  
16 use of a wheelchair for mobility. Plaintiff is unable, due to her physical disability, to  
17 independently use public facilities that are not designed and/or constructed in  
18 compliance with applicable accessibility standards to accommodate disabled persons  
19 who require a wheelchair for mobility. Plaintiff is, and at all times relevant hereto  
20 was, a resident of California.

21 6. On information and belief, Defendants BEVERLY HILLS FARM, INC,  
22 dba THE FARM OF BEVERLY HILLS; LA LIVE PROPERTIES, LLC; and DOES  
23 1 through 10, Inclusive (collectively "Defendants"), are, and at all times relevant  
24 herein were, the owners, operators, lessors and/or lessees of The Farm of Beverly  
25 Hills ("The Farm"), a restaurant located at 800 West Olympic Boulevard, Suite A  
26 150, Los Angeles, CA 90015.

1           7. Plaintiff is informed and believes that each of the Defendants is the  
2 agent, ostensible agent, alter ego, master, servant, trustor, trustee, employer,  
3 employee, representative, franchiser, franchisee, lessor, lessee, joint venturer, parent,  
4 subsidiary, affiliate, related entity, partner, and/or associate, or such similar capacity,  
5 of each of the other Defendants, and was at all times acting and performing, or failing  
6 to act or perform, within the course and scope of such similar aforementioned  
7 capacities, and with the authorization, consent, permission or ratification of each of  
8 the other Defendants, and is personally responsible in some manner for the acts and  
9 omissions of the other Defendants in proximately causing the violations and damages  
10 complained of herein, and have participated, directed, and have ostensibly and/or  
11 directly approved or ratified each of the acts or omissions of each of the other  
12 Defendants, as herein described. Plaintiff will seek leave to amend when the true  
13 names, capacities, connections, and responsibilities of Defendants DOES 1 through  
14 10, inclusive are ascertained.

15 **FACTS UPON WHICH ALL CLAIMS ARE BASED**

16           8. The Farm of Beverly Hills is one of many restaurants located in “L.A.  
17 Live”, a vibrant sports and entertainment district in the heart of downtown Los  
18 Angeles anchored by the STAPLES Center and Nokia Theatre. “L.A. Live” was  
19 newly constructed starting in 2005, with The Farm promoting itself as “a comfort  
20 food haven for the hard working downtown crowd”. Boasting an indoor/outdoor  
21 fireplace in the bar and patio and a private dining room, The Farm is a popular eating  
22 spot for Los Angeles residents, commuters, guests and tourists. Seating available for  
23 guests includes booth and table seating, separate seating in the Bar with a television,  
24 outdoor seating area with an outdoor fireplace, and patio seating to view the  
25 passersby. Unfortunately, although constructed fifteen years after the effective date of  
26 Title III of the ADA, The Farm does not offer its disabled guests the full and equal  
27 experience it offers to its able-bodied guests.  
28

1           9.     The Farm is a “place of public accommodation” as defined under Title  
2     III of the ADA, 42 U.S.C. 12181(7)(B), and California civil rights laws. Cal. Civ.  
3     Code §§ 51 *et seq.*; and Health & Saf. Code § 19955 *et seq.*

4           10.    Plaintiff and other similarly situated physically disabled persons who  
5     require the use of a wheelchair or other mobility device, are unable to use the  
6     different facilities and amenities offered at The Farm on a “full and equal” basis  
7     unless they are brought into compliance with Title III, 42 U.S.C. § 12181 *et seq.*;  
8     Health & Safety Code § 19955 *et seq.*; and California Code of Regulations, Title 24-2  
9     (“Title 24-2”), all of which are designed to ensure full and equal access for persons  
10    with disabilities in places of public accommodation. Plaintiff is a member of that  
11    portion of the public whose rights are protected by these laws.

12          11.    Plaintiff visited The Farm twice on or about April 17, 2010, while  
13    participating in the 2010 Democratic Convention at the Los Angeles Convention  
14    Center. In the morning, Plaintiff visited The Farm seeking something quick to eat  
15    before starting her work at the convention. When she arrived she was told by staff  
16    that there was no seating available in the main dining area. Plaintiff asked if she could  
17    be seated in the Bar area adjacent to the main dining room, where she saw two  
18    persons sitting, but was advised by staff that there was no Bar seating available for  
19    her, as she was in a wheelchair and the Bar tables were raised too high for a  
20    wheelchair user to sit. Plaintiff observed that the Bar area seating consisted of all high  
21    benches and tables that were inaccessible to her as a wheelchair user. Although  
22    Plaintiff saw a lowered section at the end of the Bar, it was separated from the rest of  
23    the Bar seating, and was being used by the staff/servers to place their food and drinks,  
24    and had a computer sitting on it for use by staff. Staff did not offer to have Plaintiff  
25    sit in the lowered portion of the Bar, or offer her any other seating areas. Because  
26    there was no seating available in the main dining room and the Bar tables were  
27    inaccessible, Plaintiff left The Farm, disappointed, embarrassed and without being  
28



1 served.

2 12. Later that same day, Plaintiff was asked to go to lunch with the  
3 candidate from her district and a few of his staff. Plaintiff was still interested in  
4 dining at The Farm, so when the party chose to go there for lunch, Plaintiff went  
5 along with the choice. Upon arriving at The Farm, Plaintiff and her party were seated  
6 in the main dining area. Plaintiff was seated at the end of a booth, which meant that  
7 her wheelchair protruded into the aisle way, and was in the way of people passing  
8 behind her who jostled and pressed against her chair. Plaintiff felt conspicuous and  
9 embarrassed that she was drawing unwanted attention as staff and patrons had to  
10 squeeze behind her to pass. On information and belief, all of the tables in the dining  
11 room and on the patio are inaccessible as the pedestal-style bases on all of the tables  
12 block the foot pedals on wheelchairs from rolling fully under the table.

13 13. Before being served, Plaintiff needed to use the restroom. She found that  
14 she could not open the door to the women's restroom as it was too heavy for her. A  
15 woman exiting the restroom opened the door for her so she could enter. Once inside,  
16 Plaintiff found she could not wash her hands or use the hand dryer while seated in her  
17 wheelchair. Plaintiff could not reach the sink, as there was a wooden bench blocking  
18 its access. Plaintiff asked another woman in the restroom to help her move the bench  
19 so she could reach the sink. However, even when the bench was moved Plaintiff  
20 experienced barriers using the trough-style sink, as it did not have sufficient knee  
21 clearance to accommodate her wheelchair. The soap dispensers were mounted too  
22 high and out of reach for Plaintiff. The woman who had previously assisted Plaintiff  
23 took soap from a high dispenser and put it into Plaintiff's hands so she could wash  
24 her hands. After struggling to rinse her hands in the trough sink, Plaintiff found that  
25 there were no paper towels to dry her hands. Instead there was a mounted hand dryer  
26 that required her to raise her hands over her head and drop them into the top of the  
27 dryer. Plaintiff was unable to use the hand dryer correctly, and when she attempted to  
28

1 use it, the water from her hands was splashed into her face. Plaintiff left the restroom  
2 frustrated, disheartened and embarrassed that she had to ask for help to open the  
3 restroom door and wash her hands, and was unable to dry her hands before returning  
4 to the table.

5 14. On information and belief there are other access barriers and  
6 discriminatory policies, in addition to those described above, that exclude and deter  
7 Plaintiff from enjoying full and equal access to and use of the same goods, services,  
8 facilities, privileges, advantages, and accommodations offered by The Farm to the  
9 general public, including, *but not limited to*:

- 10 • Incorrect and insufficient International Symbol of Access signage;
- 11 • Hostess and take-out counters that are too high;
- 12 • Insufficient space in the outdoor fireplace lounge for wheelchair users to  
13 sit with able-bodied persons;
- 14 • Insufficient path of travel for wheelchair users to sit in the side patio to  
15 watch passersby; and
- 16 • Insufficient path of travel for wheelchair users to, through and within the  
17 restaurant, and outdoor patio

18 15. Upon leaving The Farm after lunch on or about April 17, 2010, Plaintiff  
19 attempted to inform the staff of the barriers in the restroom and dining areas, but the  
20 staff was too busy to listen to her, and failed to direct her to a responsible employee.  
21 When told that the bench in the women's restroom blocked access to the sink, the  
22 staff persons acknowledged that they knew about this barrier, and left Plaintiff with  
23 no response to her request for the bench to be removed. On information and belief,  
24 Defendants have been on notice that the seating, the Bar and the restrooms all have  
25 significant barriers that deny, deter or exclude Plaintiff and other persons with  
26 disabilities from enjoying the full and equal experience offered by Defendants, and  
27 have taken no action to remove these barriers.  
28

16. Plaintiff has returned to the convention center on multiple occasions after the events set forth in this Complaint, to participate in seminars, conferences and the 2010 and 2011 Abilities Expos. Plaintiff wanted to dine at The Farm with her friends during her visits to the Convention Center, but was deterred from doing so due to her knowledge that the Bar, the seating in the dining room and the bathrooms were inaccessible to her and other persons using wheelchairs or other mobility devices, and did not want to subject herself or other disabled persons to discrimination at The Farm until the barriers were removed.

17. Plaintiff would like to be able to fully access, use and enjoy the goods, services, facilities, privileges, advantages, and accommodations of The Farm, but has been excluded and deterred from doing so due to the access barriers she has encountered, which discriminate against her and deter her from using The Farm's facilities. Until these barriers are removed, Plaintiff will continue to suffer discrimination by being excluded and deterred from returning to The Farm, and will continue to be denied full and equal access to and use of the same goods, services, facilities, privileges, advantages, and accommodations offered by The Farm to the general public.

18. As the result of Defendants' acts and omissions, as herein described, Plaintiff was, and will continue to be denied full and equal access to the goods, services, facilities, privileges, advantages, or accommodations of The Farm and has suffered discrimination, humiliation, pain, emotional distress, and embarrassment, all to her damage. The ongoing nature of Defendants' discrimination constitutes an ongoing violation, and unless enjoined by this Court, will result in ongoing and irreparable injury.

**FIRST CAUSE OF ACTION**  
**VIOLATION OF THE AMERICANS WITH DISABILITIES ACT – TITLE III**  
**42 USC §12101 *et seq.***

19. Plaintiff repleads and incorporates by reference, as if fully set forth again



1           herein, the allegations contained in Paragraphs 1 through 18 of this Complaint,  
2           and incorporates them herein as if separately replied.

3           20.    In 1990 the United States Congress found that laws were needed to more  
4           fully protect “some 43 million Americans with one or more physical or mental  
5           disabilities; that historically society has tended to isolate and segregate individuals  
6           with disabilities”, and that “such forms of discrimination against individuals with  
7           disabilities continue to be a serious and pervasive social problem; that the nation’s  
8           proper goals regarding individuals with disabilities are to assure equality of  
9           opportunity, full participation, independent living and economic self-sufficiency for  
10          such individuals; and that the continuing existence of unfair and unnecessary  
11          discrimination and prejudice denies people with disabilities the opportunity to  
12          compete on an equal basis and to pursue those opportunities for which our free  
13          society is justifiably famous.” 42 U.S.C. §12101.

14          21.    Congress stated as its purpose in passing the Americans with Disabilities  
15          Act, 42 U.S.C. §12101(b):

16                It is the purpose of this act:

- 17                (1) to provide a clear and comprehensive national mandate for the  
18                elimination of discrimination against individuals with disabilities;  
19                (2) to provide clear, strong, consistent, enforceable standards addressing  
20                discrimination against individuals with disabilities;  
21                (3) to ensure that the Federal government plays a central role in enforcing  
22                the standards established in this act on behalf of individuals with  
23                disabilities; and  
24                (4) to invoke the sweep of Congressional authority, including the power to  
25                enforce the 14th Amendment and to regulate commerce, in order to  
26                address the major areas of discrimination faced day to day by people  
27                with disabilities.  
28

1           22. As part of the ADA, Congress passed “Title III - Public  
2 Accommodations and Services Operated by Private Entities.” 42 U.S.C. 12181 *et seq.*  
3 Among “private entities” which are considered “public accommodations” for  
4 purposes of this title are “restaurants”. 42 U.S.C. §12181(7)(B)

5           23. Title III of the ADA provides that “No individual shall be discriminated  
6 against on the basis of disability in the full and equal enjoyment of the goods,  
7 services, facilities, privileges, advantages, or accommodations of any place of public  
8 accommodation by any person who owns, leases (or leases to), or operates a place of  
9 public accommodation.” 42 U.S.C. § 12182(a).

10           24. Defendants have discriminated against Plaintiff on the basis of her  
11 disability in violation of Title III of the ADA and its implementing regulations.  
12 Defendants’ discriminatory conduct includes, but is not limited to:

- 13           A. Discriminatory exclusion and/or denial of goods, services, facilities,  
14           privileges, advantages, accommodations, and/or opportunities;
- 15           B. Provision of goods, services, facilities, privileges, advantages, and/or  
16           accommodations that are not equal to those afforded non-disabled  
17           individuals;
- 18           C. Failing to design and/or construct facilities built for first occupancy after  
19           January 26, 1993 so that they are readily accessible to and usable by  
20           individuals with disabilities in accordance with the ADA Standards for  
21           Accessible Design (ADA Standards), 28 C.F.R. pt. 36, app. A. 42 U.S.C.  
22           § 12183(a)(1); 28 C.F.R. §§ 36.401, 36.406(a); Since January 26, 1992,  
23           failing to make alterations in such a manner that, to the maximum extent  
24           feasible, the altered portions of the facilities are readily accessible to and  
25           usable by individuals with disabilities in accordance with the ADA  
26           Standards. 42 U.S.C. § 12183(a)(2); 28 C.F.R. §§ 36.402, 36.403,  
27           36.406(a);  
28

1 D. Since July 26, 1991, failing to comply with the ongoing obligation to  
 2 remove barriers, and/or provide path of travel upgrades to remove  
 3 barriers at facilities where such removal is “readily achievable.” 42  
 4 U.S.C. § 12182(a)(2)(A)(iv); 28 C.F.R. § 36.304.

5 Pursuant to the remedies, procedures, and rights set forth in 42 U.S.C. § 12188  
 6 and 42 U.S.C. § 12205, Plaintiff prays for judgment as set forth below.

7 **SECOND CAUSE OF ACTION**  
 8 **Cal. Health & Safety Code §§ 19955 *et seq.***

9 25. Plaintiff repleads and incorporates by reference, as if fully set forth again  
 10 herein, the allegations contained in Paragraphs 1 through 24 of this Complaint, and  
 11 incorporates them herein as if separately repled.

12 26. California Health & Safety Code §§ 19955 *et seq.* was enacted “[t]o  
 13 ensure that public accommodations or facilities constructed in this state with private  
 14 funds adhere to the provisions of Chapter 7 (commencing with §4450) of Division 5  
 15 of Title 1 of the Government Code.” Such public accommodations are defined as any  
 16 “building, structure, facility, complex, or improved area that is used by the general  
 17 public...,” and includes restaurants and related sanitary facilities, shopping centers  
 18 and related sanitary facilities, and curbs and sidewalks intended for public use.  
 19 California Health & Safety Code § 19955.

20 27. On information and belief, The Farm and its related facilities underwent  
 21 construction and/or alterations after January 1, 1982 that triggered access  
 22 requirements under Title 24-2. Pursuant to Title 24-2, compliance with disabled  
 23 access building standards and specifications is required whenever public  
 24 accommodations, such as The Farm and their related facilities, undergo an  
 25 “alteration, structural repair or addition.”

26 Pursuant to the remedies, procedures, and rights set forth in Health & Safety  
 27 Code § 19953, Plaintiff prays for judgment as set forth below.  
 28

**THIRD CAUSE OF ACTION  
UNRUH CIVIL RIGHTS ACT  
(Cal. Civ. Code §51 *et seq.*)**

28. Plaintiff realleges and incorporates by reference the allegations contained in Paragraphs 1 through 27 of this Complaint as if fully set forth herein.

29. The Farm is a business establishments and, as such, must comply with the provisions of the Unruh Act, Cal. Civ. Code, § 51, *et seq.*

30. The Unruh Act guarantees, inter alia, that persons with disabilities are entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever within the jurisdiction of the State of California. Cal. Civ. Code, § 51(b)

31. The Unruh Act also provides that a violation of the ADA, or of California state accessibility regulations, is a violation of the Unruh Act. Cal. Civ. Code, § 51(f).

32. Defendants have violated the Unruh Act by, inter alia, denying, or aiding or inciting the denial of, Plaintiff's rights to full and equal use of the accommodations, advantages, facilities, privileges, or services offered at The Farm.

33. Defendants have also violated the Unruh Act by denying, or aiding or inciting the denial of, Plaintiff's rights to equal access arising from the provisions of the California state accessibility regulations and the ADA.

Pursuant to the remedies, procedures, and rights set forth in Cal. Civ. Code § 52, Plaintiff prays for judgment as set forth below.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests:

1. That this Court issue an injunction pursuant to Title III of the ADA and Plaintiff's related state law claims:

A. Ordering Defendants to alter their facilities to make such facilities readily accessible to and usable by individuals with disabilities;

1 and

2 B. Prohibiting operation of Defendants' public accommodations and  
3 facilities until they provide full and equal access to physically  
4 disabled persons, and requiring that such access be immediately  
5 provided.

6 2. That this Court award general, compensatory, and statutory damages  
7 pursuant to the Unruh Act in an amount within the jurisdiction of this court, and that  
8 these damages be trebled according to statute;

9 3. That this Court award special and consequential damages according to  
10 proof;

11 4. That this Court award attorneys' fees, litigation expenses and costs of  
12 suit, pursuant to Title III of the ADA, 42 U.S.C. § 12205; California Civil Code §§  
13 52, and 55; California Health & Safety Code § 19953; and California Code of Civil  
14 Procedure § 1021.5;

15 5. Such other and further relief as the Court may deem just and proper.

16  
17 Dated: June 8, 2011

**BARBOSA, METZ & HARRISON, LLP**

18  
19 By:

Patricia Barbosa  
20 PATRICIA BARBOSA, Esq.  
21 MICHELLE UZETA, Esq.  
22 Attorneys for Plaintiff, Christy Rudder  
23  
24  
25  
26  
27  
28



**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a jury for all claims for which a jury is permitted.

Dated: June 9, 2011

**BARBOSA, METZ & HARRISON, LLP**

By: PBarbosa  
PATRICIA BARBOSA, Esq.  
MICHELLE UZETA, Esq.  
Attorneys for Plaintiff, Christie Rudder

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge James V. Selna and the assigned discovery Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

**SACV11- 862 JVS (RNBx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☐ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☒ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Patricia Barbosa, Esq. (SBN: 125865)  
 Michelle Uzeta Esq. (SBN 164402)  
 Barbosa, Metz & Harrison, LLP  
 17547 Ventura Blvd, Suite 310  
 Encino, CA 91316  
 Tel: 818-386-1200, Fax: 818-386-1212

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

CHRISTY RUDDER,

PLAINTIFF(S)

v.

BEVERLY HILLS FARM, INC, dba THE FARM OF  
 BEVERLY HILLS; LA LIVE PROPERTIES, LLC;  
 and DOES 1 through 10, Inclusive,

DEFENDANT(S).

CASE NUMBER

SACV11-00862 JVS(RNBx)

SUMMONS

TO: DEFENDANT(S): \_\_\_\_\_

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ \_\_\_\_\_ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Patricia Barbosa & Michelle Uzeta, whose address is 17547 Ventura Blvd, Suite 310, Encino, CA 91316. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: JUN - 9 2011

By: \_\_\_\_\_

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

Patricia Barbosa, Esq. (SBN: 125865)  
 Michelle Uzeta Esq. (SBN 164402)  
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UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

CHRISTY RUDDER,

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BEVERLY HILLS FARM, INC, dba THE FARM OF  
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SACV11-00862 JVS (RNBK)

SUMMONS

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Dated: JUN - 9 2011

Clerk, U.S. District Court

JULIE PRADO

By: \_\_\_\_\_

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> ) CHRISTY RUDDER,	<b>DEFENDANTS</b> BEVERLY HILLS FARM, INC, dba THE FARM OF BEVERLY HILLS; LA LIVE PROPERTIES, LLC; and DOES 1 through 10, Inclusive
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Patricia Barbosa, Esq. (SBN: 125865), Michelle Uzeta, Esq. (SBN 164402) Barbosa, Metz, & Harrison, LLP, 17547 Ventura Blvd, Suite 310 Encino, CA 91316, Tel: 818-386-1200, Fax: 818-386-1212	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original Proceeding    
 ☐ 2 Removed from State Court    
 ☐ 3 Remanded from Appellate Court    
 ☐ 4 Reinstated or Reopened    
 ☐ 5 Transferred from another district (specify):    
 ☐ 6 Multi-District Litigation    
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes    ☐ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION under F.R.C.P. 23:** ☐ Yes    ☒ No                     
 **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 Denial of Civil Rights of a disabled person in violation of Title III of the ADA.

**VII. NATURE OF SUIT** (Place an X in one box only.)
 

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input checked="" type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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SACV11-00862

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

**AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.**



**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
CHRISTIE RUDDER- Orange County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
All Defendants- Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note:** In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): J. Benbow Date June 08 2011

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

**Key to Statistical codes relating to Social Security Cases:**

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))